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Counsel for Defendant HOLMES  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 UNITED STATES OF AMERICA,	)	No. CR 09-00930 EJD
	)	
13 Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER RE: BRIEFING SCHEDULE
14 vs.	)	
	)	
15 MYRA HOLMES,	)	
	)	
16 Defendant.	)	
	)	

17  
18 **STIPULATION**  
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20 Defendant Myra Holmes, by and through Assistant Federal Public Defender Diana A.  
21 Garrido, and the United States, by and through Assistant United States Attorneys Joseph Fazioli  
22 and Grant Fondo, hereby stipulate that, with the Court's approval, the briefing schedule for the  
23 defendant's motion to dismiss, which is set to be heard on Monday, January 28, 2013 at 3 p.m.,  
shall be as follows:

24 Defendant's motion shall be filed no later than Thursday, January 3, 2013;

25 Government's response shall be filed no later than Wednesday, January 16, 2013;  
26

1 Defendant's reply, if any, shall be filed no later than Wednesday, January 23, 2013.  
2 Time has previously been excluded through and including February 25, 2013.  
3 IT IS SO STIPULATED.  
4

5 Dated: December 17, 2012

6  
7 /s/  
8 DIANA A. GARRIDO  
Assistant Federal Public Defender

9 Dated: December 17, 2012

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11 /s/  
12 JOSEPH FAZIOLI  
Assistant United States Attorney

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14  
15 Dated: December 17, 2012

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17 /s/  
18 GRANT FONDO  
Assistant United States Attorney

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~~Proposed~~ **ORDER**

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
ORDERED that the briefing schedule for the defendant's motion to suppress shall be as follows:


Defendant's motion shall be filed no later than Thursday, January 3, 2013;

Government's response shall be filed no later than Wednesday, January 16, 2013;

Defendant's reply, if any, shall be filed no later than Wednesday, January 23, 2013.

IT IS SO ORDERED.

Dated: 12/18/2012

  
\_\_\_\_\_  
THE HONORABLE EDWARD J. DAVILA  
United States District Court Judge